

THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION

SEAGEN INC.,

Petitioner,

v.

DAIICHI SANKYO CO., LTD.,

Respondent.

Case No. 2:22-cv-01613-JLR

**JOINT STATUS REPORT**

1 Pursuant to the Court’s Order of March 4, 2023 (Dkt. No. 70, at 11-12), Petitioner Seagen  
 2 Inc. (“Seagen”) and Respondent Daiichi Sankyo Company, Limited (“DSC”) submit this Joint  
 3 Status Report to report that the Arbitrator has delivered a Final Award to the Parties.

4 As background, the Court’s Order of March 4, 2023 (Dkt. No. 70) stayed this case until  
 5 the Arbitrator (Chief Judge Garrett E. Brown, Jr. (Ret.)) delivers a final award in the underlying  
 6 arbitration (American Arbitration Association Case No. 01-19-0004-0115). The Court also  
 7 ordered the parties to “file a joint status report informing the court of the [delivery of a final  
 8 award] no more than seven days after it occurs.” (*Id.* at 12).

9 On November 17, 2023, the International Centre for Dispute Resolution transmitted the  
 10 Arbitrator’s Final Award, dated November 14, 2023, to Seagen and DSC. The Final Award is  
 11 attached as Exhibit A to this Joint Status Report. The Final Award “fully adopts and integrates by  
 12 reference the Interim Award,” which was rendered on August 11, 2022. Ex. A at 20. (The  
 13 Interim Award was originally filed with this Court as Exhibit 4 to Dkt. No. 12, and an unsealed  
 14 version is available at Dkt. No. 57 at 1–69.) The Interim Award was ““fully and finally  
 15 dispositive with respect to all factual issues, legal and equitable arguments, and defenses raised in  
 16 conjunction with the Parties’ claims and requests for relief, with the sole exception of the Parties’  
 17 respective requests for an award of, inter alia, attorneys’ fees pursuant to Section 19.3.4 [of the  
 18 Collaboration Agreement].”” Ex. A at 20 (quoting Interim Award at 20) (emphasis in original).  
 19 The Final Award “makes no substantive changes to the Interim Award, with the sole exception of  
 20 addressing and resolving DSC’s request for an award of attorneys’ fees and costs pursuant to  
 21 Section 19.3.4 of the Collaboration Agreement.” *Id.* In the Final Award, the Arbitrator awarded  
 22 DSC the amount of \$43,710,217.20 towards its reasonable attorneys’ fees plus \$1,856,915.10 and  
 23 JPY169,076 towards its reasonable costs in the Arbitration. *Id.* at 66. The Final Award therefore  
 24 “fully resolves and is in full settlement of all claims and requests for relief submitted to the  
 25 Arbitrator in this arbitration.” *Id.* at 67.

Dated: November 27, 2023

/s/Steven W. Fogg [with permission]

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